

Application No. 10/511,885
AMENDMENT
Reply to Office Action of March 17, 2009

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listing, of claims in the application:

Listing of Claims:

This listing of claims will replace all prior versions, and listings, of claims in this application:

Listing of Claims:

1. (Currently Amended) A food product: comprising a food and a physiologically compatible phospholipid-containing stabilizing stable matrix consisting of (i) a supporting material selected from the group consisting of (un)modified carbohydrates, (un)modified proteins, hydrophobic materials, hydrophobic polymers, mineral components, and mixtures thereof, and (ii) $\geq 5\%$ by weight acetone-insoluble phospholipid components, based on the total matrix weight ~~a starting material of the acetone-insoluble phospholipid components~~, as a bioactive component, the matrix stabilizing the phospholipid components as a part of the matrix.
2. (Previously Presented) The food product as claimed in claim 1, wherein the food is in a form which is selected from the group consisting of a liquid, solid and semiliquid.
3. (Previously Presented) The food product as claimed in claim 2, wherein the food is selected from the group consisting of a tea, coffee, milk, mineral drink, soft drink, power drink, energy drink, a vegetable, fruit juice, bark juice, nectar, liquid spice, elixir, tonic, and beer.

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4. (Previously Presented) The food product as claimed in claim 2, wherein the food is selected from the group consisting of a cereal product, a spice, an extract of a plant, fruit bark, a bar, pasta, sweet, slice and a soft product.
5. (Previously Presented) The food product as claimed in claim 2, wherein the food is a fermented milk product selected from the group consisting of butter, yogurt, cottage cheese, kumis, kefir, ready-to-use sauces, margarine, bread spread and creme.
6. (Currently Amended) A specialized food product comprising: a specialized food and a physiologically compatible phospholipid-containing stabilizing stable matrix consisting of (i) a supporting material selected from the group consisting of (un)modified carbohydrates, (un)modified proteins, hydrophobic materials, hydrophobic polymers, mineral components, and mixtures thereof, and (ii) $[\geq 5\%]$ by weight acetone-insoluble phospholipid components, based on the total matrix weight ~~a starting material of the acetone-insoluble phospholipid components~~, as a bioactive component, the matrix stabilizing the phospholipid components as a part of the matrix.
7. (Previously Presented) The specialized food product as claimed in claim 6, wherein the specialized food product is for tube feeding.
8. (Previously Presented) The food product as claimed in claim 1, wherein the matrix is in a form selected from the group consisting of pellets, granulates, capsules and microcapsules.

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9. (Currently Amended) The specialized food product as claimed in claim 6, wherein the matrix contains $\geq 15\%$ by weight acetone-insoluble phospholipid components, based on the total matrix weight ~~starting material of acetone-insoluble phospholipid components~~, as the bioactive component.

10. (Currently Amended) The specialized food product as claimed in claim 9, wherein the matrix contains between 5 and 90 % by weight acetone-insoluble phospholipid components, based on the total matrix weight ~~starting material of acetone-insoluble phospholipid components~~.

11. (Previously Presented) The food product as claimed in claim 1, wherein the bioactive component in the matrix is selected from the group consisting of phosphatidyl serine, phosphatidyl choline, phosphatidyl ethanolamine, phosphatidyl inositol, phosphatidyl glycerol, lyso variants thereof, and sphingophospholipids.

12. (Cancelled)

13. (Previously Presented) The food product as claimed in claim 1, wherein the carbohydrates are selected from the group consisting of starch, starch esters, starch ethers, monosaccharides, disaccharides, sugar alcohols, glucose syrup, dextrans, a hydrocolloid of an alginate, a hydrocolloid of pectin, a hydrocolloid of chitosan, and cellulose.

14. (Previously Presented) The food product as claimed in claim 13, wherein the proteins are selected from the group consisting of plant protein, animal protein, microbial protein and mixtures thereof.

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15. (Previously Presented) The food product as claimed in claim 14, wherein the proportion of supporting material is ≤ 95 % by weight based on the total weight of the matrix.
16. (Previously Presented) The food product as claimed in claim 15, wherein the total matrix has a diameter between 1.0 μm and 5.0 mm.
17. (Cancel)
18. (Previously Presented) The specialized food product as claimed in claim 10, wherein the matrix is spherical or has a lens shape.
19. (Previously Presented) The specialized food product as claimed in claim 10, wherein the matrix includes microcapsules having a diameter between 0.5 and 500 μm .
20. (Previously Presented) The specialized food product as claimed in claim 10, wherein the matrix includes a liquid.
21. (Currently Amended) The specialized food product as claimed claim 10, wherein the matrix is effective for delaying ~~effects a delayed~~ release of a material in a human gastric intestinal tract.
22. (Cancelled)
23. (Previously Presented) A pharmaceutical preparation which is effective for treating conditions selected from the group consisting of elevated serum cholesterol levels diabetes

symptoms, strengthening mental fitness, exercising tolerance and fitness, comprising the food claimed in claim 1.

24. (Previously Presented) A method for treating conditions selected from the group consisting of elevated serum cholesterol levels, diabetes symptoms, mental fitness, exercise tolerance and fitness in a human subject, comprising:
- a) providing food product as claimed in claim 1;
 - b) producing a pharmaceutical preparation comprising said food product; and
 - c) administering an amount of said pharmaceutical preparation to said subject which amount is effective for achieving beneficial results in treating the condition.
25. (Previously Presented) The food product as claimed in claim 8, wherein the matrix comprises a coating around a bioactive core.
26. (Currently Amended) The specialized food product as claimed in claim 10, wherein the matrix contains between 20 and 80 % by weight, based on the total matrix weight, ~~starting material~~ of the acetone-insoluble phospholipid components.
27. (Currently Amended) The specialized food product as claimed in claim 26, wherein the matrix contains between 40 and 70 % by weight, based on the total matrix weight, ~~starting material~~ of the acetone-insoluble phospholipid components.
28. (Previously Presented) The food product as claimed in claim 15, wherein the supporting material is between 30 and 80 % by weight based on the total weight of the matrix.

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29. (Previously Presented) The food product as claimed in claim 16, wherein the total matrix has a diameter between 0.5 to 2.5 mm.
30. (Previously Presented) The food product as claimed in claim 1 wherein the hydrophobic materials are selected from the group consisting of waxes, triglycerides, lipids, and mixtures thereof.
31. (Previously Presented) The specialized food product as claimed in claim 6 wherein the hydrophobic materials are selected from the group consisting of waxes, triglycerides, lipids, and mixtures thereof.
32. (Previously Presented) The food product as claimed in claim 11 wherein the sphingophospholipid is sphingomyelin.
33. (Previously Presented) The food product as claimed in claim 14 wherein the proteins are selected from the group consisting of zein, gluten, gelatin, casein, whey proteins, single cell proteins, proteins from algae, texturized proteins, and mixtures thereof.
34. (Currently Amended) A food product comprising: a food and a physiologically compatible phospholipid-containing stabilizing stable matrix comprising (i) a supporting material selected from the group consisting of (un)modified carbohydrates, (un)modified proteins, hydrophobic materials, hydrophobic polymers, mineral components, and mixtures thereof, and (ii) $\geq 5\%$ by weight, based on the total matrix weight, ~~a starting material of~~ an acetone-insoluble phospholipid component which phospholipid component

is effective for acting as a bioactive component and the matrix stabilizing the phospholipid component as part of the matrix.

35. (Currently Amended) The food product as claimed in claim 34 wherein the matrix has $\geq 15\%$ by weight ~~acetone-insoluble phospholipid components~~, based upon the total matrix weight, of the acetone-insoluble phospholipid component.

36. (Currently Amended) A food product comprising a food and a physiologically compatible phospholipid-containing stabilizing stable matrix comprising (i) a supporting material selected from the group consisting of (un)modified carbohydrates, (un)modified proteins, hydrophobic materials, hydrophobic polymers, mineral components, and mixtures thereof, and (ii) $\geq 5\%$ by weight based on the total matrix weight ~~a starting material of an acetone-insoluble phospholipid component applied to the support~~, the phospholipid component effective for acting as a bioactive component, the matrix stabilizing the phospholipid components as a part of the matrix.

37. (Currently Amended) The food product as claimed in claim 36 wherein the matrix has $\geq 15\%$ by weight acetone-insoluble phospholipid components, based upon the total matrix weight ~~acetone-insoluble phospholipid component~~.

38. (New) A food product: comprising a food and a physiologically compatible phospholipid-containing stable matrix consisting of a supporting material and one or more acetone-insoluble phospholipid components, the supporting material selected from the group consisting of unmodified carbohydrates, modified carbohydrates, unmodified proteins, modified proteins, hydrophobic materials, hydrophobic polymers, mineral components, and mixtures thereof, the matrix comprising $\geq 5\%$ by weight, based upon

the total matrix weight, acetone-insoluble phospholipid component, the phospholipid component effective as a bioactive component which provides a biological effect upon consumption, and the matrix effective for stabilizing the phospholipid component which is a part of the matrix against hydrolysis and oxidation.

39. (New) The food product as claimed in claim 38, wherein the phospholipid component of the matrix is selected from the group consisting of phosphatidyl serine, phosphatidyl choline, phosphatidyl ethanolamine, phosphatidyl inositol, phosphatidyl glycerol, lyso variants thereof, and sphingophospholipids.

40. (New) The food product as claimed in claim 39, wherein the proteins are selected from the group consisting of zein, gluten, gelatin, casein, whey proteins, single cell proteins, proteins from algae, texturized proteins, and mixtures thereof.

41. (New) The product as claimed in claim 39, wherein the hydrophobic materials are selected from the group consisting of waxes, triglycerides, lipids, and mixtures thereof.

42. (New) The food product as claimed in claim 39, wherein the carbohydrates are selected from the group consisting of starch, starch esters, starch ethers, monosaccharides, disaccharides, sugar alcohols, glucose syrup, dextrans, a hydrocolloid of an alginate, a hydrocolloid of pectin, a hydrocolloid of chitosan, cellulose and mixtures thereof.

43. (New) A food product: comprising a food and a physiologically compatible phospholipid-containing stable matrix consisting of a supporting material and one or more acetone-insoluble phospholipid components, the supporting material selected from the group consisting of unmodified carbohydrates, modified carbohydrates, unmodified

proteins, modified proteins, hydrophobic materials, hydrophobic polymers, mineral components, and mixtures thereof, the matrix comprising $\geq 5\%$ by weight, based upon the total matrix weight, acetone-insoluble phospholipid component, the phospholipid component effective as a bioactive component which provides a biological effect upon consumption, and the matrix effective for stabilizing the phospholipid component against hydrolysis and oxidation, the carbohydrates selected from the group consisting of starch, starch esters, starch ethers, monosaccharides, disaccharides, sugar alcohols, glucose syrup, dextrans, a hydrocolloid of an alginate, a hydrocolloid of pectin, a hydrocolloid of chitosan, cellulose and mixtures thereof, the phospholipid component of the matrix selected from the group consisting of phosphatidyl serine, phosphatidyl choline, phosphatidyl ethanolamine, phosphatidyl inositol, phosphatidyl glycerol, lyso variants thereof, and sphingophospholipids, the proteins selected from the group consisting of zein, gluten, gelatin, casein, whey proteins, single cell proteins, proteins from algae, texturized proteins, and mixtures thereof, and the hydrophobic materials selected from the group consisting of waxes, triglycerides, lipids, and mixtures thereof.

44. (New) A food product: comprising a food and a physiologically compatible phospholipid-containing stabilizing matrix consisting of (i) a supporting material selected from the group consisting of (un)modified carbohydrates, (un)modified proteins, hydrophobic materials, hydrophobic polymers, mineral components, and mixtures thereof, (ii) bioactive substances selected from the group consisting of amino acids, vitamins, polyphenols, carbohydrates, lipids, trace elements, and mineral substances and (iii) $\geq 5\%$ by weight acetone-insoluble phospholipid components, based on the total matrix weight, as a bioactive component, the matrix stabilizing the phospholipid components as a part of the matrix.